

PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2003

Application or Docket Number

10802906

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	4	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	4 minus 20 =	
INDEPENDENT CLAIMS	1 minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	6	20	
Independent	1	3	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY.

RATE	FEE
BASIC FEE	385.00
XS 9=	
X43=	
+145=	
TOTAL	

RATE	FEE
BASIC FEE	770.00
XS18=	
X86=	
+290=	
TOTAL	770

SMALL ENTITY

OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL ADDIT. FEE	

11-15-05

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	35	20	15
Independent	1	3	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS18=	750
X86=	
+290=	
TOTAL ADDIT. FEE	750

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	35	35	0
Independent	1	3	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
* If the "Highest Number Previously Paid For" ON THIS SPACE is less than 20, enter "20."
* If the "Highest Number Previously Paid For" ON THIS SPACE is less than 3, enter "3."
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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AUG 07 2006

RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3733
PATENT
Attorney Docket No. 101.0058-03000
Customer N . 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 5309
Gary K. Michelson)	
Serial No.: 10/802,906)	Group Art Unit: 3733
Filed: March 17, 2004)	Examiner: Richard R. Shaffer
For: ORTHOPEDIC IMPLANT WITH)	
LOCKING ELEMENT (AS AMENDED))	

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AFTER FINAL

In reply to the Final Office Action of March 20, 2006, the period for reply having been extended for two (2) months by a request for extension and fee payment filed concurrently herewith, and pursuant to 37 C.F.R. § 1.116, Applicant proposes that this application be amended as follows:

Amendment to the Title begins on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Remarks begin on page 7 of this paper.

Amendment After Final 8-7-06

1252-By 50

PATENT
Attorney Docket No. 101.0058-03000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Gary K. Michelson, M.D.)
Serial No.: 10/802,906)
Filed: March 17, 2004)
For: ORTHOPEDIC IMPLANT WITH)
LOCKING ELEMENT (AS AMENDED))

Confirmation No. 5309

Group Art Unit: 3733

Examiner: Richard R. Shaffer

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Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Petitioner ("assignee") SDGI Holdings, Inc., duly organized under the laws of the State of Delaware, and whose post office address is 300 Delaware Avenue, Suite 508, Wilmington, Delaware 19801, represents that it is the only assignee of the entire right, title and interest in and to the above-identified application, Serial No. 10/802,906, filed March 17, 2004 for ORTHOPEDIC IMPLANT WITH LOCKING ELEMENT in the name of Gary Karlin Michelson as indicated by the assignment recorded in the United States Patent and Trademark Office at Reel 016164, Frame 0253; and is the only assignee of the entire right, title and interest in and to Application Serial No. 09/022,344, filed February 11, 1998 (now U.S. Patent No. 6,139,550), for SKELETAL PLATING SYSTEM in the name of Gary Karlin Michelson as indicated by the assignment recorded in the United States Patent and Trademark Office at Reel 016164, Frame 0253.

Assignee SDGI Holdings, Inc. further represents through its representative that to the best of assignee's knowledge and belief, title to the above-identified application and the United States Patent No. 6,139,550 are in assignee, which is submitting this Terminal Disclaimer.

To obviate a double patenting rejection, SDGI Holdings, Inc. hereby disclaims, under the provisions of 37 C.F.R. § 1.321, the terminal part of any patent granted on the above-identified application, Serial No. 10/802,906, which would extend beyond the expiration date of Patent No. 6,139,550 and hereby agrees that any patent so granted

1814 1/30

FORM PTO-1083

Attorney Docket No.: 101.0058-03000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 07 2008

In re application of:

Gary K. Michelson

Serial No: 10/802,906

Filed: March 17, 2004

For: ORTHOPEDIC IMPLANT WITH LOCKING
ELEMENT (AS AMENDED)

Confirmation No.: 5309

Art Unit: 3733

Examiner: Richard R. Shaffer

Mail Stop: AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a reply to the Office Action dated March 20, 2006 in the above-identified application.

☐ No additional fee is required.☒ Terminal Disclaimer

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	35	-	35	0	LG=\$50 SM=\$25	\$ 0
INDEPENDENT CLAIMS FEE	1	-	3	0	LG=\$200 SM=\$100	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$960 SMALL ENTITY FEE = \$180	\$ 0
TOTAL						\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

--- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

☒ The total amount of \$680.00 to cover the \$450.00 two-month extension fee and the \$130.00 Terminal Disclaimer fee is to be charged to Deposit Account No. 60-3726.☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 60-3726. A copy of this sheet is enclosed.☐ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN & FERRARO, LLP

By:

Amadeo F. Ferraro

Registration No. 37,129

Date: August 7, 2008

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